

20-X-7-.11. Spirits Tastings.

(1) Spirits tastings may be permitted subject to the following terms and conditions:

(a) For the purpose of this regulations, the term “spirits” applies to the same alcoholic beverages as those defined under the term “liquor” in the Glossary of Terms, Regulation 20-X-2-.01, for this publication.

(b) Spirits tastings are restricted to the following licensed premises:

1. Lounge retail liquor, Class I and Class II **(Subject to those restrictions on Class II as referenced in section (g) below).**
2. Restaurant retailer liquor.
3. Club liquor, Class I & II.
4. Special events retail.
5. Special retails.

(c) All spirit tasting events shall be subjected to the following requirements:

1. Notification shall be given by the licensee to the Board ~~30~~ **7** days prior to the tasting event.
2. Only products which have been approved for sale within the state ~~maybe~~ **may be** used in tastings.
3. The bottles used shall be designated for tasting use only and not for resale.
4. Those conducting the tasting shall maintain proof of purchase for the products.
5. Spirits tastings shall be of a structured nature **and not exceed a period of 2 1/2 continuous hours.** ~~Tastings shall commence no later than six o'clock p.m. and not exceed a period of 2 hours.~~
6. All spirits shall be dispensed from original containers prepared by the manufacturer with labels visible to the consumer. Individual samples furnished to a consumer shall contain no more than **one-half** ~~one-quarter~~ ounce of the spirits ~~and shall be limited to 2 products per tasting event.~~ **No more than three (3) samples may be furnished to a consumer in one calendar day.**
7. ~~Spirits tastings shall be conducted by licensed manufacturers or their representative on any of the licensed premises referred to in (1)(b) above. The representative shall be permitted to conduct spirits tastings utilizing its own personnel, or industry representatives with permits and identification~~ **with the assistance from retail personnel if desired.** At all tastings, the manufacturer or manufacturer's representative shall provide for purposes of the promotion, a person with a sufficient knowledge of the product(s) involved to conduct said tastings
8. Any product with a broken seal shall be removed from the licensees' premises at the end of the tasting event,

(d) All spirit tasting events shall be subjected to the following restrictions:

1. Tastings shall not be offered to any consumer who is under the age of 21 or who appears, considering the totality of the circumstances, to be intoxicated.
2. The tasting area shall be confined to the licensed premises, in a designated area, so as to separate the event from any point-of-sales of alcoholic beverages. Tastings shall not be conducted on a patio, or parking area that is outside the licensed premises. This restriction does not prohibit a special event licensee from conducting an out-door tasting event. A special event retail licensee shall be required to designate one area within the licensed premises to conduct tastings.
3. The tasting area shall contain at a minimum one table. ~~The wholesaler,~~ manufacturer or its representative shall be present at the table during the duration of the tasting event.
4. Only the product shall be served at the tasting event. Non-alcoholic mixers may be added. No premixed drinks or infusions shall be allowed.

5. No licensee shall receive payment or any other consideration directly or otherwise **from any other licensee.** ~~apart from the benefit of creating interest in the product for future sales.~~
- 6 No promotions, sweepstakes, prizes, or contests shall be held during a tasting event.
- 7 ~~Tasting events shall not be advertised outside the licensed premises.~~ **No signs or banners advertising the event shall be placed outside the licensed premises.**
- (e) The licensee shall be held responsible for a tasting event held on their licensed premises.
- (f) The Board may, itself initiate, investigate and, if appropriate, disapprove and prohibit the continued tastings by any licensee found to be conducting tastings in violation of the rules.
- (g). Additional requirements for state liquor stores and for private package stores- lounge retail liquor- Class II**

- 1. Tastings shall commence no later than six o'clock p.m. and not exceed a period of 2 hours.**
- 2. Individual samples furnished to a consumer shall contain no more than one-quarter ounce of the spirits and shall be limited to 2 products per tasting event.**
- 3. Tastings shall be conducted at no charge to the customer.**

AUTHOR:

ABC Board

STATUTORY AUTHORITY:

Code of Ala. 1975, § 28-3-49.

HISTORY:

New Rule: Filed May 2, 2001; effective June 6, 2001.